



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 14, 2008.



Shannon L. Stewart

Applicant : Masanori Katsuta Confirmation No. 6387
Application No. : 10/649,874
Filed : August 26, 2003
Title : MUSICAL PERFORMANCE SELF-TRAINING APPARATUS

Grp./Div. : 2837
Examiner : Marlon T. Fletcher

Docket No. : 50905/N194

REMARKS ON CONDITIONAL RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
January 14, 2008

Commissioner:

We filed a response to the July 12, 2007 final Office Action on September 12, 2007, which was within 2 months of the July 12, 2007 mailing date of the final Office Action. However, we did not receive any subsequent Office Action or Advisory Action as of today, January 14, 2008, which is the 6-month deadline.

On Thursday, January 11, 2007, Examiner's Supervisor, Examiner Donovan, informed Applicant's attorney that the Examiner will timely send a non-final Office Action. However, as of today, there is no record of such Office Action on USPTO's PAIR database.

In order to ensure that the application is not inadvertently abandoned, Applicant submits herewith a conditional Request for Continued Examination (RCE), which is to be entered if and only if no additional Office Action was mailed by the 6-month deadline of January 14, 2008 (as January 12, 2008 was Saturday). This RCE is conditional because under 37 C.F.R. §1.114, an RCE cannot be filed unless prosecution on the application has been closed.